

Docket No.: 32699.0008

FORM PTO-1595 (Modified)  
(Rev. 05-01)  
OMB No. 0551-0027 (exp. 5/31/2002)  
PUB/H&VUS

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Zwag Associates, Inc. solely in its capacity as  
court-appointed interim receiver of Hunter Technologies, Inc.  
and not in its personal capacity

## 2. Name and address of receiving party(ies):

Name: FPI Fireplace Products International Ltd.

Internal Address: \_\_\_\_\_

Additional names(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☐ Assignment☐ Merger☐ Security Agreement☐ Change of Name☒ Other Correction of recorded Assignment to correct  
Receiving Party's nameExecution Date: January 23, 2003Street Address: 6988 Venture StreetCity: DeltaState: BCZIP: V4G 1B4Additional name(s) & address(es) attached? ☐ Yes ☐ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

## B. Patent No.(s)

5,267,552RE 36,5395,253,6355,671,727Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: R. Lee FraleyInternal Address: Snell & Wilmer LLPStreet Address: One Arizona Center400 E. Van BurenCity: PhoenixState: AZZIP: 850046. Total number of applications and patents involved: 47. Total fee (37 CFR 3.41): .....\$ 160.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

## 8. Deposit account number:

19-2814

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy  
of the original document.

R. Lee Fraley, Reg. No. 42,550

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 11

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22304-0145

700036348

PATENT

REEL: 013798 FRAME: 0617

CH \$160.00 192014 5267552

FORM PTO-1619A  
Expires 05/30/06  
OMB 0851-0027

02-26-2003



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# RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. Department of Commerce  
Patent and Trademark Office

PATENT

RECEIVED  
FEB 21 2003  
FINANCE SECTION

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies):

## Submission Type

2-21-03

☒ New

☐ Resubmission (Non-Recordation)

Document ID#

☐ Correction of PTO Error

Reel #

Frame #

☐ Corrective Document

Reel #

Frame #

## Conveyance Type

☒ Assignment

☐ Security Agreement

☐ License

☐ Change of Name

☐ Merger

☐ Other

U.S. Government

(For Use ONLY by U.S. Government Agencies)

☐ Departmental File

☐ Secret File

## Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Zwaig Associates, Inc. solely in its capacity as court-appointed interim receiver of

Execution Date

Month Day Year

01/23/2003

Name (line 2) Hunter Technologies, Inc. and not in its personal capacity

## Second Party

Name (line 1) Hunter Energy and Technologies, Inc. a predecessor of Hunter Technology, Inc.

Execution Date

Month Day Year

01/23/2003

Name (line 2)

## Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) FPI Fireplace Products Ltd.

Name (line 2)

Address (line 1) 6933 Venture Street

Address (line 2)

Address (line 3) Delta

British Columbia

V4G 1H4

City

State/Country

Zip Code

☒ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

## Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name B.D. Services Corporation

Address (line 1) Post Office Box 5008

Address (line 2) 300 North Commercial Street

Address (line 3) Bellingham, Washington 98227-5008

Address (line 4)

FOR OFFICE USE ONLY

02/25/2003 LBNELLER 00000175 5267352

01 FEB 2003

160.00 00

Public burden reporting for this collection of information is estimated to average approximately 20 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0851-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0851-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:

Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**PATENT**  
**REEL: 013798 FRAME: 0618**

FORM PTO-1619B  
Expires 06/30/99  
OMB 0651-0027

Page 2

U.S. Department of Commerce  
Patent and Trademark Office  
PATENT

## Correspondent Name and Address

Area Code and Telephone Number

602-382-6250

Name R. Lee Fraley

Address (line 1) Snell &amp; Wilmer L.L.P.

Address (line 2) One Arizona Center

Address (line 3) 400 E. Van Buren

Address (line 4) Phoenix, Arizona 85004-2202

## Pages

Enter the total number of pages of the attached conveyance document  
including any attachments.

# 6

## Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

5,267,552

5,253,635

5,671,727

RE 36,539

If this document is being filed together with a new Patent Application, enter the date the patent application was  
signed by the first named executing inventor.

Month Day Year

## Patent Cooperation Treaty (PCT)

Enter PCT application number  
only if a U.S. Application Number  
has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

## Number of Properties

Enter the total number of properties involved.

# 4

## Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$

160.00

Method of Payment:

Enclosed ☒Deposit Account ☐

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# 19-2814

Authorization to charge additional fees:

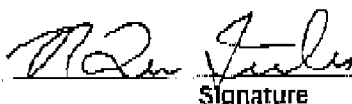
Yes ☒No ☐

## Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any  
attached copy is a true copy of the original document. Charges to deposit account are authorized, as  
indicated herein.

R. Lee Fraley, Reg. No. 42,550

Name of Person Signing



Signature

2/14/03

Date

PATENT

REEL: 013798 FRAME: 0619

## ASSIGNMENT

WHEREAS Hunter Technology, Inc., a Canadian Corporation, with a principal place of business at Suite 4400 (RAC), 40 King Street West, Toronto, Canada M5H 3Y4, and Hunter Energy and Technologies, Inc., a predecessor of Hunter Technology, Inc., having a principal place of business at 100 Hunter Valley Road, Orillia, Canada, (hereinafter collectively called the "ASSIGNOR") may be the owners of the U.S. Patents and Patent Applications identified in Schedule "A" hereto and of the U.S. Trademark Applications and Registrations identified in Schedule "B".

WHEREAS, Zwaig Associates, Inc. (hereinafter referred to as "ZWAIG") is the court-appointed interim receiver of Hunter Technology, Inc., and has a principal place of business at 130 King Street West, Toronto, Ontario, Canada; and

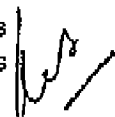
WHEREAS FPI Fireplace Products International Ltd., 6988 Venture Street, Delta, British Columbia, V4G 1H4, (hereinafter called the "ASSIGNEE") wishes to acquire all of ASSIGNOR'S rights, if any, to the inventions and to the trademarks;

AND WHEREAS, a "formal application," as referred to herein, shall mean any provisional, non-provisional, continuation, continuation-in-part, divisional, reissue, re-examination, foreign, PCT or other patent application or like document.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ZWAIG, in its capacity as court-appointed interim receiver of Hunter Technology, Inc. and not in its personal capacity, does sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, on an "as is" basis the ASSIGNOR'S right, title and interest, if any, in and to the aforesaid patents listed in Schedule "A", to the invention as described in the aforesaid patents, and to all formal applications which may be filed based in whole or in part on one or more of the aforesaid applications, in the United States and all foreign countries, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States adheres, and hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE for the sole use and benefit of ASSIGNEE, its successors, assigns and legal representatives,

AND for further good and valuable consideration, the receipt of which are hereby acknowledged, ZWAIG, solely in its capacity as court-appointed interim receiver of Hunter Technology, Inc. and not in its personal capacity, does sell, assign and transfer unto ASSIGNEE on an "as is" basis the ASSIGNOR'S right, title and interest, if any, in and to the trademarks listed in Schedule "B," together with the goodwill of the business symbolized by the said marks and the identified registrations thereof.

ZWAIG, in its capacity as court-appointed interim receiver of ASSIGNOR hereby authorizes and requests the appropriate official in the United States, and any official of any country or countries



foreign to the United States, whose duty it is to issue trademark registrations or similar indicia of trademark to issue registrations for said trademarks to ASSIGNEE and its successors and assigns.

EXECUTED as of the date(s) written below by appointed interim receiver on behalf of ASSIGNOR.

Signed and sealed at Toronto, Canada on January 23<sup>rd</sup>, 2003.

ZWAIG ASSOCIATES, INC. solely in its capacity as court-appointed interim receiver of Hunter Technologies, Inc. and not in its personal capacity.

By: [Signature]

Title: President

#### NOTARIAL CERTIFICATE

On this 23<sup>rd</sup> day of January, 2003, before me, appeared Mel Zwaig, the President of Zwaig Associates Inc. who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and he/she acknowledged that he/she signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

[SEAL]


[Signature]  
Notary Public

## SCHEDULE "A"

## PATENTS

## U.S.


| Patent No. | Title                                            | Filing Date   | Issue Date    |
|------------|--------------------------------------------------|---------------|---------------|
| 5,267,552  | DIRECT VENT GAS FIREPLACE                        | May 29, 1992  | Dec. 7, 1993  |
| 5,671,727  | CONFIGURABLE LOW PROFILE<br>GAS FIREPLACE BURNER | Apr. 5, 1995  | Sep. 30, 1997 |
| Re. 36,539 | SEAL AND INSTALLATION<br>IMPROVEMENTS            | Aug. 8, 1997  | Feb. 1, 2000  |
| 5,253,635  | GAS-FIRED HEATER                                 | Apr. 29, 1992 | Oct. 19, 1993 |




## SCHEDULE "B"

## TRADEMARKS

U.S.

| TRADEMARK                                                                                            | REG #<br>(APP #) | WARES/SERVICES                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COZY COMFORT                                                                                         | 1,218,289        | Wood burning furnaces, heaters and stoves                                                                                                                                                  |
| VALLEY COMFORT<br>(stylized)                                                                         | 1,287,017        | Permanent installation wood burning furnaces, heaters and stoves sold through specialty stove shops, solid fuel heating specialty stores and plumbing, heating and ventilating contractors |
| HUNTER & Design<br> | 2,112,587        | Heaters, namely room heaters, fireplaces, space heaters and baseboard heaters                                                                                                              |



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FPI GROUP

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IN THE UNITED STATES PATENT AND PATENT  
TRADEMARK OFFICE

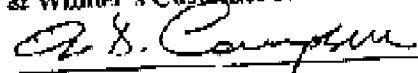
POWER OF ATTORNEY AND  
DESIGNATION OF DOMESTIC REPRESENTATIVE BY ASSIGNEE

I, Archie Campbell, am an officer of the Assignee, with power to act on its behalf. Having reviewed the documentary evidence relating to the title hereof, hereby certify that, to the best of my knowledge and belief, the entire right, title and interest in the United States Patents listed on the attached Schedule A is in Assignee, FPI Fireplace Products International Ltd.

FPI Fireplace Products International Ltd., the Assignee of the entire right, title and interest in and to the United States patents listed on the attached Schedule A and all inventions disclosed and claimed therein, hereby appoints and designates as its Domestic Representative, individually and collectively, B.D. Services Corporation, Post Office Box 5008, 300 North Commercial Street, Bellingham, Washington 98227-5008 to prosecute and to transact all business in the United States Patent and Trademark Office for the patents listed on the attached Schedule A, all applications based thereon, growing out of or relating to the inventions, and all resulting patents.

Please send all further correspondence for the above-captioned application to Snell & Wilmer, L.L.P. at the address associated with Snell & Wilmer's Customer Number 020322.

By:



Archie D. Campbell, its Vice President-  
Finance and Chief Financial Officer

Date:

FEBRUARY 12 2003

SNELL & WILMER L.L.P.  
One Arizona Center  
400 East Van Buren  
Phoenix, Arizona 85004-0001  
Tel.: (602) 382-6000  
Fax: (602) 382-6070

## SCHEDULE A

| PATENT NO. | TITLE                                            | ISSUE DATE         |
|------------|--------------------------------------------------|--------------------|
| 5,267,552  | DIRECT VENT GAS FIREPLACE                        | December 7, 1993   |
| 5,671,727  | CONFIGURABLE LOW PROFILE GAS<br>FIREPLACE BURNER | September 30, 1997 |
| RE 36,539  | SEAL AND INSTALLATION<br>IMPROVEMENTS            | February 1, 2000   |
| 5,253,635  | GAS-FIRED HEATER                                 | October 19, 1993   |